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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,007	01/25/2002	Hiroshi Watanabe	614HC/50888	8101

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CROWELL & MORING LLP  
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EXAMINER

PAN, YUWEN

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/048,007

Applicant(s)

WATANABE ET AL.

Examiner

Yuwen Pan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims <sup>by art</sup> rejected under 35 U.S.C. 102(e) as being anticipated by Ponce de Leon et al (US006211791B1), hereinafter Ponce.

Per claim 1, Ponce discloses a communication system for working machines, said system comprising:

Controllers (see figure 1 and item 32) arranged on said working machine, respectively, for transmitting predetermined information from said respective working machines (see column 10-19),

A controller station (see figure 2 and item 84) arranged at a remote location and connected to said controllers via a radio communication means such that said predetermined information outputted from each of said controllers is inputted in said control station (see column 3 and lines 34-40, column 4 and lines 6-21), and

A plurality of user stations (see figure 2 and items 10s) connected to said control station via network, characterized in that:

Said working machines are each provided with a transmission instructing means for instructing transmission of the corresponding predetermined information (see column 3 and lines 1-9); and

Said control station is provided with an identification means for identifying said inputted information the corresponding one of said user stations, to which said information is to be transmitted, and also with a transmission means for transmitting information, which corresponds to said inputted information, to said corresponding user station identified by said identification means (see column 4 and lines 6-51).

Per claim 2, Ponce further teaches that said predetermined information from each of said working machines includes identification information specific to said working machine (see column 4 and lines 51-column 5 and line 12).

Per claim 3, Ponce further teaches that with respect to all the working machines from which information are sent, said identification information on said individual working machines are stored corresponding to administration centers of said working machines in a working machine database arranged at said control station (see column 4 and lines 15-21).

Per claim 4, Ponce further teaches that said administration centers are each specified by said identification means on a basis of the corresponding identification information stored in said working machine database (see column 3 and lines 17-19, lines 31-38).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5- 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ponce de Leon et al (US006211791B1) in view of Caci (US006154658A).

Per claim 7 and 8, Ponce teaches an analogous system as recited in claim 1. Ponce doesn't teach that said working machines are each provided with a position detecting for detecting a current location of said working machine, and said predetermined information includes information on said location and said information on said location is included in said information transmitted from said control station.

Caci teaches that said working machines are each provided with a position detecting for detecting a current location of said working machine, and said predetermined information includes information on said location and said information on said location is included in said information transmitted from said control station (see column 6 and lines 1-34, column 8 and lines 7-20).

It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Caci with Ponce such that the central operator would be able to maintain the position of the working machine, such as ambulance, where is in a remote location.

Per claim 5 and 6, Caci further teach that said control station has a customer database with transmission texts stored corresponding to said administration centers, and is provided with a selection means for selecting one of said transmission text corresponding to said specified administration center, from said customer database, said specified administration center can

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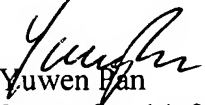
rewrite, from the corresponding user station, at least said one transmission text in information stored in said customer data base (see figure 1, column 7 and line 52-column 8 and lines 6).


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Yuwen Pan  
September 14, 2004

  
9/20/04  
LESTER G. KINCAID  
PRIMARY EXAMINER